

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs. 1-7. The sheets, which includes Figs. 1-7 replaces the original sheets including Figs. 1-7. Figs. 1-7 have been formalized and unnecessary elements have been omitted.

Attachment: Formal Drawing Replacement Sheets
 Annotated Sheets Showing Changes

REMARKS/ARGUMENTS

Claims 1-4 are pending in the present application. Claims 5-8 have been added. The Examining Attorney has requested that the Applicant submit an Information Disclosure Statement that has been prepared and a copy accompanies this office action. We have gathered as many copies of the materials within the Information Disclosure Statement as we can at this time. A representative of the Applicant has discussed the possible prior art to be disclosed within the application, and specifically the newparadigm website. In our investigation on www.archive.org we only find web pages dating back to Oct. 1, 1999. The provisional application of this prosecution was filed on July 19, 2000 and thus the 1 year bar date in Applicant's estimation is July 19, 1999. There is no indication that the newparadigm website was running before this bar date and thus cannot be considered prior art of the disclosure. However, materials on the website that were available to the public before the bar date have been disclosed within the Information Disclosure Statement.

The Examiner has requested that the drawings be corrected to be in compliance with 37 CFR 1.121(d) because the drawings are informal and/or not legible. Applicant has replaced all of the informal drawings with formal drawings to comply with the Examiner's request. The specification has been objected to for several informalities including the title of the invention not being descriptive, and the incorporation of subject matter in the application which is not been provided to the Examiner in an appropriate Information Disclosure Sheet. The title has been amended as suggested by the Examiner, and a proper Information Disclosure Statement has been provided to the Examiner. Furthermore, the incorporation of Selling with Integrity has

been eliminated from the specification. Thus, all objections to the specification are considered to be overcome.

Claims 1-4 have been rejected under 35 U.S.C. 102(b) as being based upon a public use or sale of the invention over Parr, Jan, It's the Buyer Stupid (1996); Morgan Sharon, Selling with Integrity (1997); Morgan, Sharon, Serving Need, Not Greed: How business can Partner with Customers (1998); and Morgan, Sharon, "Stupid" Selling: Let the client lead the way (1998). The Examiner has also requested additional information under 35 U.S.C. 102(b) regarding the public use and sale of criteria basis selling, as discussed in Applicant's book Selling with Integrity and on the newssalesparadigm.com website. In accord with this request the Applicant has filed an Information Disclosure Statement with seminar syllabus and course descriptions of different programs that were presented to the public and sold to the public by the Applicant and additionally, accompanying this office action is an affidavit signed by the Applicant discussing the presentations that the Applicant provided before and after filing the present application. This affidavit includes a sworn statement that all information to Applicant's knowledge regarding public uses or sales of information that is relevant to this inquiry has been provided to the Examiner. Finally, claims 1-4 have been rejected under 35 U.S.C. 103(a) over Morgan, Sharon, Selling with Integrity (1997). Applicant respectfully traverses all rejections.

Claims 1-4 have been rejected under 35 U.S.C. 102(b) as being based upon a public use or sale of the invention over Parr, Jan, It's the Buyer Stupid, (1996), Morgan, Sharon, Selling With Integrity (1997), Morgan, Sharon, Serving Need, Not Greed: How business can partner customers (1998); and Morgan, Sharon "Stupid" Selling: Let the client lead the way (1998).

Applicant has amended claim 1 to require "wherein a plurality of responses to determine what is missing with a website originate from actual research on companies who complained that their websites are inadequate." This amendment gains its antecedent basis in the specification from page 9, lines 7-9 that states "the five responses in the example illustrated in Fig. 1 originate from actual research of companies who complained that their websites are inadequate." The cited prior art references do not teach a website wherein questions are asked and different responses are provided to the question wherein the responses are based upon research on companies that complain that their websites are inadequate. Instead, these references teach selling techniques that involve asking multiple questions to a potential customer in order to determine what the customer's needs or wants are before making a sale. These references do not suggest already having an answer for these customers for the questions being asked based upon research done of companies that have similar problems to these customers. Thus, these references do not teach predicting these answers nor how these answers would be derived. Therefore, each and every limitation of amended claim 1 is not present in the prior art references and the anticipation rejections are considered overcome. Similarly, amended claim 1 is considered non-obvious in view of the amendment. Because claims 2-4 depend on claim 1, they are also considered in allowable form.

New claims 5-7 have been added all of which depend on claim 1. All three claims add limitations regarding the specific questions that are to be asked when determining what are missing with respect to a problem, when determining why a visitor is unable to adequately solve a problem and in determining whether an identified solution to the problem is acceptable. These

limitations, and specifically, these sets of questions, function to determine what a problem is, why a visitor is unable to adequately solve a problem and to determine why an identified solution is acceptable. Though other questions could be asked to get to these same answers, the application identifies these questions as the ones that function to enable a visitor to make a criteria based decision that is the best possible decision that can be made. Thus, by using these functional questions in combination, a method that provides the best solution to a problem occurs. The implementation of these specific questions in order to come to a solution to any problem cause these questions to be a functional feature that is an advantage over the cited prior art. Thus, not only are dependent claims 5-7 considered allowable subject matter because they depend on claim 1, they also are considered to contain their own allowable subject matter. Thus, in view of the amendment claims 1-7 are considered in allowable form.

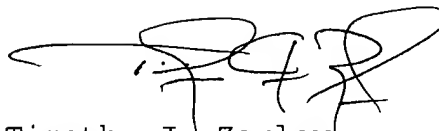
CONCLUSION

In view of the above remarks and arguments, Applicant believes that claims 1-7 are in condition for allowance and Applicant respectfully requests allowance of such claims.

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

All fees or extensions of time believed to be due in connection with this response are attached hereto; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

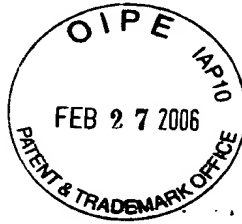
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Zarley', with a stylized flourish extending from the end.

Timothy J. Zarley
Reg. No. 45,253
ZARLEY LAW FIRM, P.L.C
Capital Square
400 Locust Street, Suite 200
Des Moines, IA 50309-2350
Phone No. (515) 558-0200
Fax No. (515) 558-7790
Customer No. 34082
Attorneys of Record

- JLH/bjs -

Appl. No. 09/909,411
Reply to Office Action of February 6, 2006
Annotated Sheet Showing Changes



omitted
What is missing from your site in the way of fully supporting buyers or visitors?

- question #1*
- Visitors don't always know what they need when they come to the site and therefore can't find it
 - Visitors sometimes leave the site before they've completed their search
 - Visitors don't know how to navigate the site although we have worked hard at making that easy for them
 - Visitors know what they want and can't find it because we don't have it
 - Visitors know what they want and can't find it because they don't know how to use the site

FIG. 1

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omitted

What is stopping you from making the site more accessible for visitors?

question #2

- We did the best we could with what we had
- Don't know how
- Didn't realize it could have worked differently
- We tried and the changes didn't seem to make a difference

FIG. 2

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omitted

What would make it possible for you to be willing to add a tool to your site to help visitors navigate your site more easily?

- My programmers would have to agree
- My team would have to agree
- It would have to be priced realistically and in relation to what we have already spent on our site
- I would have to know there are measurable results
- I would have to know it actually worked

F16.3

omitted

QUESTION #4

How would you know that Hobbes would give you a way to help you meet your criteria for visitors using your site?

- I would have to understand how easy it would be to add to my site
- I would have to know how other users have found it on other sites
- I would have to know I could track the results
- I would want to have it be customized and be site-specific
- My programmers would have to be comfortable with it
- I would have to make a business case for it
- I would want to buy an off the shelf product that could be made to work with my existing programming
- I would want to trial it
- I would want to have an ongoing relationship with SDOC for maintenance and product support
- I would want to know how to track and analyze the data which will be coming in

FIG. 4

business case

Hobbes works with a series of questions, which focus, collect, and make sense of the thought processes, beliefs, ethics, and history, which form the basis of how people make decisions. It will help visitors

- Make an easy purchasing decision and go directly to the area on your site, which holds their answers,
- Make a decision when they are unsure of all of their selection criteria when entering the site (those buyers seeking information only),
- Decide early on that your site will not hold their answers,
- Be linked to business partners when appropriate,
- Make your site a showcase for supporting visitors wanting to make decisions in your field and choosing your site - and your business offering - to come to for support.

Until now, search engines have been the tools most used to help visitors get to what they seek. That works well, for visitors who already know exactly what they want. But what about those who aren't clear, or haven't decided, or are having difficulty deciding?

Hobbes works with all those visitors who need help in deciding on how your product fits in with their existing systems, personal or professional.

what types of sites can use hobbes?

how to integrate your sales approach with the web

F16.5

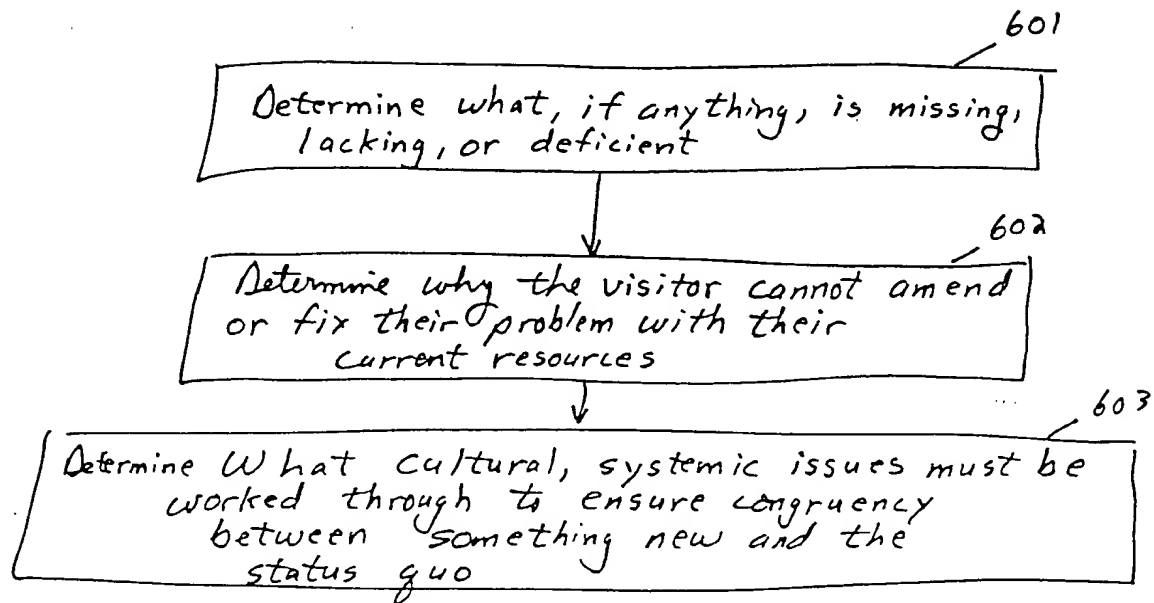


FIG. 6

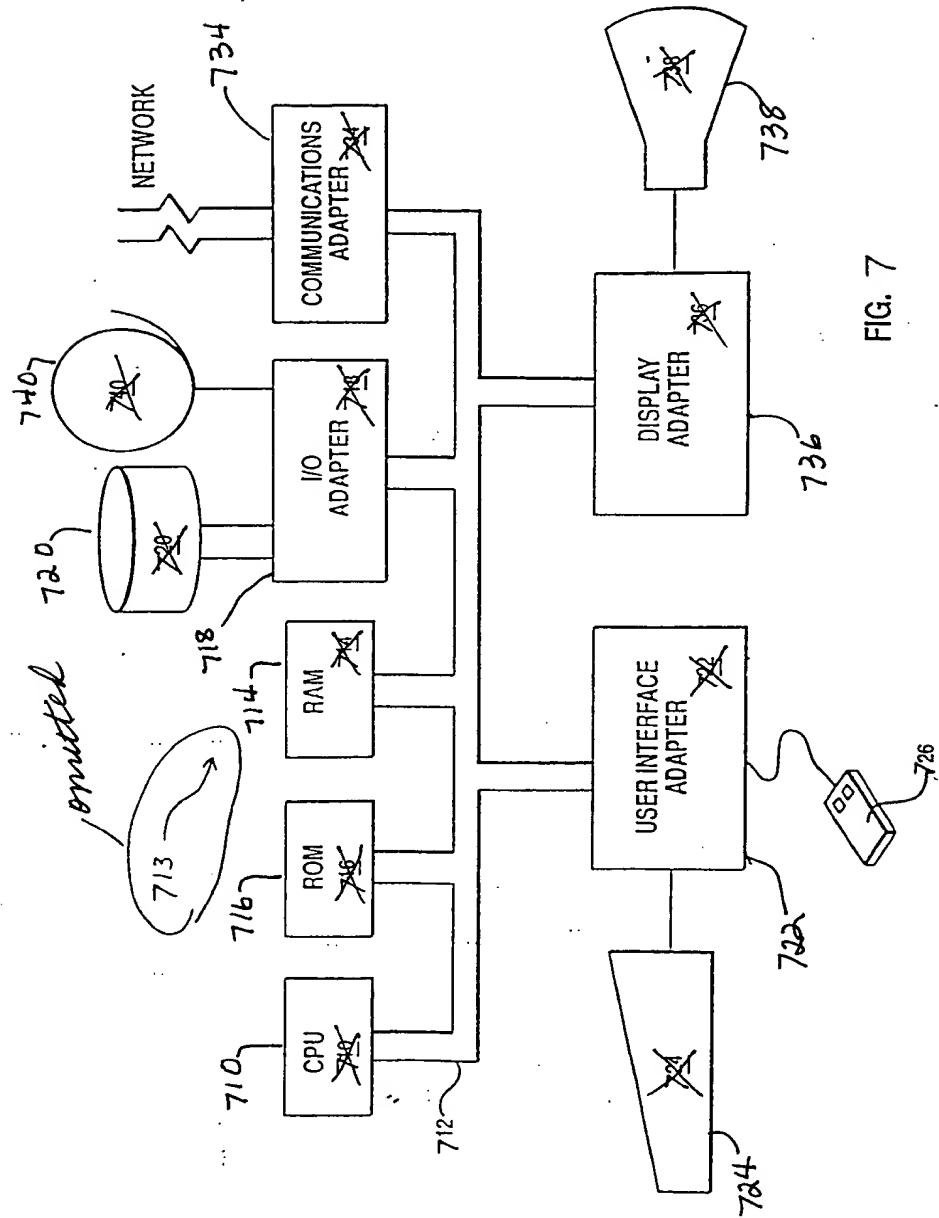


FIG. 7